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How We Steal Kids

BY CATHERINE CAMPBELL

For the poor in America, for those who live in the margins of our society because they are mentally ill, or drug-addicted, are immigrants, or have been in prison, the Elian Gonzalez case is no news at all. For decades, these "poor with a problem" have been losing their children to people who can provide a "better life" for them, losing them in closed dependency courts, where engineering new lives for children in their "best interests" is routine.

As a Fresno-based civil rights lawyer for poor and disenfranchised parents who have lost their children into the dependency system because of allegations of abuse and neglect, I have seen the rights of parents trammeled by notions of the children's best interests that fluctuate wildly and unpredictably. Poor parents once lost their children because they left them with caretakers while they worked in the factories or the fields. Now they lose their children because they refuse to provide them with the "stimulation" of childcare while they are gone 10 hours a day at minimum wage jobs. That these changes correlate with changing middle-class ideals of parenting is ignored by courts, as social workers, mental health professionals, physicians and other members of the cult of expertise testify with absurd certainty about what it in the "best interests" of children.

We Americans have no consensus about what is in the "best interests" of children. What is an acceptable level of corporal punishment differs from culture to culture, as do levels of physical comforting. Even among like groups, there is deep disagreement about what is best for children. There is a movement afoot within the middle class to provide children with the comfort of sleeping with their parents until they are teenagers, while others, of the same class, bristle at the thought, fretting over the potential for sexual abuse in such an unconventional setup. Poor children who miss school are arrested while other children are home-schooled by middle-class parents without interference. Parents who are poor are harshly criticized if their lives are unstable since we all know children need "stability". But no one criticizes military parents who move their kids from base to base, or wealthy parents, whose children live in Rome, Paris and New York in any given year.

What happens to poor children in America is confidential, so I am muzzled by restrictions that prevent public scrutiny of what has increasingly become a form of legalized kidnapping. But I can tell you about trends I have witnessed which make poor Elian's fate seem typical, like thousands of other cases of American children taken from their parents and placed with strangers, all because a police officer, a social worker, and then a judge, decided it was best for them.

A little history. At one time, the few parents who were found by a court to have abused or neglected their children were given up to two years to reunify with their children, who were placed in foster care to await the outcome of their parents' efforts. Parents were provided a wide array of social services, including drug treatment, counseling, parenting classes, housing assistance, and even job training. If they failed to rectify the deficiencies that led to their children being led off to new

(**Stealing Kids,** *continued on page 7*)

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Our Little Secrets

Autumn of a Running Dog

The repellent spectacle of "El Maestro" Gabriel Garcia Marquez going down on one knee to toast Madeleine Albright during a recent Cartagena dinner to celebrate stepped up US involvement in the Colombian counter-insurgency war came as no surprise to connoisseurs of the Nobel prize winner. "He simply adores power, can't help kissing ass", observes one Colombian writer with weary resignation. "Back in 1991 he flew from Mexico to Bogota just to have lunch with Henry Kissinger."

Given these proclivities, Garcia Marquez' utility as an agent of power and privilege has been increasing in recent years. Most significant has been his non-fiction book News of a Kidnapping, relating the events surrounding the 1992 kidnappings of ten well-connected Colombians by the late narcotics trafficker Pablo Escobar. Ecstatically received in this country, the book helped cement official agitprop that Colombia's troubles stem from drug traffickers allied with "narco-guerillas".

The kidnappings took place during the presidency of Gustavo Gaviria, notable for the wholesale massacre of the leftist Union Patriotica party by fascist paramilitary forces linked to the military. Gaviria never evinced any disquiet at this bloodbath, and nor does Garcia Marquez, who saves his indignation and sympathy for the fate, admittedly poignant, of his friends from the oligarchy imprisoned by the drug lord. Tellingly, hostage Diana Turbay, a brave and respected journalist who was killed (almost certainly by the police) during a botched rescue attempt, gets short shrift in his account.

True to form, Garcia Marquez gives no credit to the journalists he hired to research much of the book. This is in keeping with his lifelong effort to make sure that he is the only novelist from Colombia, home of many fine writers, known and recognized in the outside world. Fellow scribes who look to the Maestro for assistance in getting their work published abroad have looked in vain. Cambio, once an excellent magazine devoted to forthright, independent reporting, has degenerated since he took it over into a melange of woolly centrism, devoid of a point of view as Colombia sinks deeper into agony under an increasing rain of US - supplied pesticide and ordnance.

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Arc of Jane

Another milemarker for the Sixties generation: Jane Fonda has opted for Christ and is now an ecstatic parishioner at Providence Missionary Baptist Church. Some people will do anything to get away from Ted Turner. Maybe this was start a trend for the sixty-something crowd.

It's only been a month since Turner and Fonda announced they were separating, and only a couple of years since they let it be known they made love three times a day.

It seems that Fonda's budding affair with the Redeemer has been sloshing around the Internet for quite a while. We caught up with the story via an article by Robert Stacy McCain in The Washington Times. McCain cites Turner's well known detestation for Christianity as the precipitating factor in the bust-up. Turner has called Christianity a "religion for losers" and last year made fun of the Ten Commandments and the Pope at a meeting of population groups. But a recent National Enquirer, which would have gone to press before the Fonda-for-Christ story surfaced, says their marriage collapsed because Turner had taken up again with a former girl-friend, Frederique D'Arragon. The Enquirer says Jane was sick of Turner's loutish behavior, the final straw coming in December at the dress rehearsal for the wedding of Turner's son Beau. Ted got drunk and when he stood up to make the toast he fell forward into his soup and had to be dragged out by Jane and a bodyguard.

We prefer to see Christ as the homewrecker. It's got greater historical heft. After all, Jane has always been a bellwether of the zeitgeist, from Barbarella through Hanoi Jane and Tom Hayden to the exercise videos, then Turner and cheerleading for the Atlanta Braves. Maybe this time it's true love at last.

"The key figure in Miss Fonda's search," McCain writes, "may have been her chauffeur, who shared his faith with her." It seems Turner got mad when Jane began attending the upscale Peachtree Presbyterian Church in Atlanta and so the chauffeur recommended Providence Missionary Baptist Church that is mostly black and probably a lot more fun.

Spaghetti Putinesca

Russian forces may still be battling to take Grozny, but Vladimir Putin has already secured victory over the hearts and minds of the Clinton Administration. Addressing the Johns Hopkins School of International and Advanced Studies in Washington on January 18, Madeleine Albright described Putin as "one of the leading reformers, first out of St Petersburg and then within the Yeltsin administration" who "seems determined to move reform forward". This encomium comes as no surprise, given that Putin has been sponsored throughout his political career by Anatoly Chubais, a principal architect of Russia's post-communist economic ruin, whose fluency in English and consummate ability to spout neo-liberal shibboleths long ago earned him the undying affections of the US Treasury, State Department, and IMF, not to mention assorted hacks erotically aroused by the mere mention of the word "reformer".

Meanwhile, the vexed issue of who was actually responsible for the September bombings of apartment houses in Mos-

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cow and Volgodonsk that provided Putin with the excuse for his war will not go away. The recent revelation that last September the FSB secret police were actually detected in the very act of planting yet another huge bomb, this time in an apartment house in the provincial city of Ryazan makes it clearer than ever that the bombings were a bloody provocation organized from Putin's old outfit in Lubyanka Square.

As reported in an excellent article by Will Englund in the Baltimore Sun on January 14, the events in Ryazan were as follows: On the evening of September 22 last year, Aleksei Kartofelnikov noticed a car with an obscured license plate behaving oddly outside his Ryazan apartment house. He called the police, who eventually sent a patrol car. Prodded by Kartofelnikov, the cops reluctantly agreed to search the basement, where they discovered four sacks full of what the police on the scene said was hexogen, the same explosive as was used in the Moscow bombings. They were wired together to a crude but effective detonator and timer. The building was hurriedly evacuated and the terrified residents spent the night in the freezing cold.

The following day a city telephone operator overheard a long distance call to Moscow, in which the caller was complaining that with the police alerted, there was no way of getting out of town undetected. The voice on the other end replied, "Split up, and each of you make your own way out". The operator alerted the police, who determined that the phone number in Moscow was connected to one of the "special services" i.e., secret police or intelligence agencies, such as the FSB. Pushed by the police, (who are independent from, and rivals of, the FSB) the FSB later confirmed that it were responsible for the sinister sacks in the basement, but that it had all been part of a "training exercise".

The conclusion seems clear: Kartofelnikov and the other residents of the 12-story building were marked as victims to justify the attack on Chechnya (which began the next day) and thus propel Putin to supreme power, all in the sacred cause of reform.

STAR WARS: FAKING IT

Following the artfully contrived "success" of the October 2 missile defense test, the mechanics of which

Putin's backer Anatoly Chubais is the hero of all hacks erotically aroused by the word "reformer."

CounterPunchers were apprised months before less well informed organs caught up, the star warriors tried again on January 18. They failed. The stated reason for this particular $100 million bust was the last minute failure of two infra-red sensors on the interceptor, causing it to miss the target by 20 miles.

Our sympathies are with the tireless bureaucrats and boffins of the Ballistic Missile Defense Office (BMDO), since they went to such painstaking lengths to fix this test too. "This was cooked to high heaven", exclaims a Friend of CounterPunch in the bowels of the Pentagon, citing internal documents. In addition to hitting the target, the exercise was intended to demonstrate, according to BMDO, "the ability of the space-based sensors (satellites) and ground-based radars to detect and acquire a simulated threat, track the threat and discriminate using the prototype ground-based X- Band radar at Kwajalein" (in the south Pacific, whence the interceptor was launched.) This portion, the missile defense office declared, "worked well." As well it might, given that pronouncements about space based sensors and ground based x band radars were pure hokum. The satellites and radars have yet to be built.

The missile-spotting Defense Support Program satellites presently in orbit can see a missile taking off and estimate its general direction, but cannot track its precise location. That is why, for the fifth time since 1980, the Pentagon is attempting to build a satellite warning and tracking network. This particular edition, consisting of 30 satellites and an escalating budget presently passing through $8 billion, is called SBIRS, or "sibbers", and would be vital to a deployed missile system, if it ever took to the skies, which it will almost certainly never do. Similarly, the X Band (very short wave) radar exists presently only as a multiplying item on the budget.

For resourceful star warriors, "testing" systems that do not exist poses little difficulty. At a background briefing on January 19, a "senior military official" casually mentioned how it was done. "Well, we used the GPS data, we fuzzed it up to make BMC3 (Ballistic Missile Command, Control and Communications System) think that this was a surrogate, if you would, XBR [X band radar] radar," "GPS data" means that the target warhead was fixing its position from Global Positioning System satellites and relaying this information to the ground throughout the flight. In other words, the target was telling interested parties where it was at all times. The data was then "fuzzed up" (doubtless not by much) and fed into the computers controlling the whole intercept.

Our friend informs us that in addition to the GPS, yet another transmitter on the target warhead was also relaying information, almost certainly a radar beacon to tell other early warning radars in California and Hawai'i where to look. The North Koreans, Iranians, Iraqis or other Enemies Yet Unborn currently justifying the ($55 billion and counting) missile defense boondoggle would be unlikely to be similarly cooperative in having their missiles broadcast their location to the defense.

Meanwhile, much had been done to make the interceptor's job as easy as possible. CounterPunchers may recall that the test targets carry "penetration aids", decoys such as might deployed by a real enemy, to confuse the "kill vehicle" racing to destroy an incoming warhead. In fact, the test decoys, large balloons, are designed to assist the defense by giving it something large to spot and thus helping it seek out the distinctly smaller real target. It was this feature that saved the October test from disaster.

BMDO's proud boast that this time the "X Band radar" performed the vital task of discriminating between decoy and warhead appears to be beside the point. We have it on excellent authority that the interceptor was pre-programmed to recognize the precise dimensions and characteristics of the 2.2 meter diameter balloon, thus further easing the task of first spotting and then discriminating between the "decoy" and the adjacent warhead. "Not a penetration aid but an interception aid," laughs one Pentagon connoisseur of such machinations. "The last test before Clinton is due to decide whether to go ahead with this thing is in April. You better believe they'll have the target on rails for that one." CP

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All Heaven's in a Rage...

The Secret History of the Monarch Butterfly

On May 20 last year, Nature magazine sounded what might have been the death knell of the biotech food industry. A short paper in the respected British science magazine by John Losey, an assistant professor of entomology at Cornell University, reported the ominous results of his laboratory study on the effects of pollen from genetically modified corn on the Monarch butterfly. Losey found that that Monarch caterpillars fed on milkweed leaves dusted with genetically modified corn pollen ate less, grew more slowly and suffered a higher mortality rate than those fed on leaves with normal pollen, or with no pollen at all. Nearly half of the GM pollen-fed caterpillars in the study died.

The corn in question is "Bt" corn, modified by genetic engineers in corporate labs to produce Bacillus thuringiensis, a soil bacterium and natural pesticide that organic farmers have for years been spraying on crops if and when threatened by insects. In contrast to the intermittent doses of the organic farmers however, the GM variety exudes Bt all the time, at a level of toxicity 10-20 times good or ill via wind-blown pollen. The target of this laboratory-bred plant is the dreaded European corn borer, (pending the inevitable evolution of a Bt resistant borer) that deployed by the organic sprayers and is distributed for

By early 1999, Bt corn appeared to be fulfilling the wildest hopes of its developers. First approved for sale by the EPA in 1996 (without any requirement that it be tested for effects on "non-target" species, such as butterflies) the genetically altered seeds were being sown on 20 million acres in 1998. The companies hoped for a doubling in sales by the following year.

Cornell is a dangerous place for the untenured Losey to pursue his investigations, given that the university's agriculture school has long enjoyed carnal relations with agri-chemical corporations such as Monsanto and Novartis. Indeed, one member of the faculty, apprised of its dangerous implications, sent a draft of Losey's paper to Monsanto. A tremulous executive rushed to Ithaca and issued a stern warning against publication of the research, exclaiming that the publicity would "ruin" the GM industry. Losey stood his ground.

Once the May 20 issue of Nature hit the stands, events swiftly justified the corporation's forebodings. Americans, who love their Monarch, reacted with outrage. Monsanto stock began a slide from which it has never recovered; Ohio Rep. Dennis Kucinich introduced a bill in Congress to compel labeling for all GM foods on sale; major environmental groups such as the Natural Resources Defense Council, hitherto hailed by Monsanto executives for an "understanding" attitude to GM, joined calls for restrictions on Bt corn; the European Commission cited the report as justification for a moratorium on approvals for sales of new GM products.

The bloodied biotech industry rallied and fought back. Last June, the leading biotech companies, including Monsanto, Novartis Seeds Inc, AgrEvo USA and others, carpentered together an entity called the "Agricultural Biotechnology Stewardship Working Group", which allotted $100,000, to a number of scientists across the US and Canada, urging them to hasten to their labs and computers and probe the relationship between Monarch and corn pollen. By fall, the results, or at least something that could be profitably passed on to the public, were in. On November 2, massed ranks of industry executives assembled for a symposium in Chicago under the joint banner of the Stewardship Working Group and the USDA's Agricultural Research Service (playing its traditional role as a handmaiden of agribusiness.) In attendance were Burson Marsteller and other sleek professionals of the pr industry.

Eight of the researchers at the symposium had been funded by the industry. For appearances sake however the organizers felt it necessary to invite other less predictable scientists, such as Dr Lincoln Brower of Sweet Briar College, America's leading expert on the Monarch. Given that they could not therefore be assured of one hundred percent quiescence from the assembled eggheads, the corporate overseers adopted a simple expedient. Even before the proceedings commenced, they issued a press release, buttressed by a conference call with selected scientists and reporters, headlined "Scientific symposium to show no harm to Monarch butterfly". Journalists from most major metropolitan papers, including the Los Angeles Times, Chicago Tribune, St Louis Post Dispatch and others did their duty, assuring their readers that the Monarch is safe. The smooth operation was disrupted only by Carol Yoon of the New York Times, who had the ill grace to reveal the message of the press release to the meeting and asked if all researchers present agreed. Several voiced their dissent.

Between Bt corn and the logging industry the Monarch butterfly's future is frail at best.

Reports from those scientists present ing an optimistic view of the Monarch's prospects in a biotech world did not inspire confidence among all concerned. A number had eschewed the messy business of actually scrutinizing butterflies in the field, opting instead for the more controllable environment of the laboratory and computer simulation. Thus, as Lincoln Brower noted in a tart report on the proceedings: "Several papers presented at the symposium indicated a lack of understanding of basic Monarch biology and ecology (even though most of this information has been published in peer-reviewed scientific journals, including methods for working with caterpillars in the field, life table studies, and fecundity data)." In Brower's scornful view, scientific research in this area is badly compromised

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by industry money

The system worked. Two months after the Chicago gathering, Gene Grabowski, senior flack with the potent Grocery Manufacturers of America, could claim that the threat of GM foods becoming as hot an issue here as they are in Europe has been beaten back "The fire caught on the edges", he crowed, "but it is under control." True, the EPA has recently issued a requirement that Bt cornfields be abutted by "refuges" of non-GM corn to screen Monarchs from the deadly pollen, but such tactical victories do not outweigh the overall triumph of the biotech industry on the issue.

Meanwhile the poor Monarch, poised to begin its annual spring migration from central Mexico to the US, may find that come next fall there will be little left of the Oyamel fir forest to which these butterflies return for the winter. The forested mountain area in Michoacan to which all Monarchs east of the Rockies migrate is tiny, totaling less than 62 square miles. Alas, the vital forests are rapidly diminishing under the onslaught of local loggers.

The Mexican government, while decreeing that the core Monarch areas be protected, has unwisely followed US Forest Service practice by permitting a "buffer zone", where limited logging is allowed around the central and supposedly inviolate zones. The buffer zones are being clear cut and the central zones are rapidly thinning.

Tens of thousands of tourists flock to Mexico to witness the incomparable spectacle of Monarchs en masse, an economic boon esteemed by the locals. In hotel gift shops visitors can buy Monarch memorabilia as well as toy lumber trucks laden with simulated Oyamel logs. Once the forests are gone, the Monarchs will have no canopy to protect them from winter damp and frosts, and they will disappear for ever from field and forest, eliminated by chainsaw and bioengineering.

John Losey has not been forgiven for his seminal work on the Monarch—biotech connection. An application for a USDA grant to continue his researches has been summarily rejected. Now he is up for tenure, a bid that our sources indicate has highly uncertain prospects. CP

Macro-Win on Micro-Radio: FCC Does (Almost) Right Thing

On Thursday, January 20, the Federal Communications Commission voted in a new area in radio broadcasting. Just over two months from now hundreds upon hundreds of applicants will be filing for local broadcasting licenses from the FCC. Not so long thereafter, at a cost of as little $500 or $1,000, grass roots groups, trade union locals, churches, schools will crank up their transmitters and the moment resisted with every sinew and dollar of the National Association of Broadcasters will have arrived.

It all started years ago, in 1988 to be precise, with a contrary blind black man, Dwayne Readus, later Mbanna Kantako, in the John Hay Homes housing project (since demolished) in Springfield, Illinois, this project then being home to virtually the entire black population of Springfield. Readus bought two black boxes out of a catalogue, connected them to a microphone and an antenna opened up a tiny station in his apartment and began broadcasting Human Rights Radio, at one watt of power (a typical FM station may use 50,000 watts), to his fellow tenants what the cops were up to in the neighborhood and other information unavailable on the mainstream stations in conservative southern Illinois. The police didn't care for this kind of publicity and tried to shut Readus/Kantako down. A prof at Sagamon State University relayed his battle to the National Lawyers Guild, and Peter Franck, a San Francisco-based attorney with a lot of experience in community broadcasting, started up a Committee for Democratic Communication within the Guild, to try to recover some of the airwaves stolen from we-the-people decades earlier.

Kantako sparked a decade of civil disobedience, as low-watt broadcasters, mostly operating at a range of under five miles fired up their transmitters without the sanction of a license from the FCC. The battle was sometimes brutal, always ill-reported. Local police acting at the FCC's instigation or sometimes prompted by local commercial broadcasters would raid the micro-pirates, smash their way into private homes, terrorize the inhabitants and confiscate equipment.

Among those targeted by the FCC was Steve Dunifer, an anarchist in the Bay Area who started up Free Radio Berkeley. Aided by another capable Bay Area attorney and associate of Franck, Luke Hiken, Dunifer simultaneously embarked on a prolonged battle in the courts to vindicate his position that free access to the airwaves was a constitutional right. Though she ultimately disappointed Dunifer on a somewhat bizarre ruling on standing, federal judge Claudia Wilken gave him and the low-watt movement the all-important credential they needed. She recognized that the constitutional argument had merit. Overnight, "pirate radio" became "micro-radio".

The low watt movement already knew that it didn't cost much to put together a transmitting station. As Franck recalls, "Jesse Drew of Paper Tiger invited some of us to meet Professor Tetsuo Kagawa of Kyoto University in Japan to hear about Japan's experience with very low power radio. We went to Jesse's home one night and there professor Kagawa sat in front of a paper plate containing fifteen dollars worth of parts bought from Radio Shack earlier that afternoon. As he told us of the Japanese experience he was soldering the parts together. After forty-five minutes he was finished. He plugged a microphone into one socket on the soldered radio board, connected an ordinary car antenna to another socket, and started broadcasting. We scattered in our cars. Driving around San Francisco's Mission District, we could hear this brand new radio station at a distance of up to a mile and a half. We had seen the power and the economy of micro power radio."

Dunifer didn't reserve all his energies for the courtroom or the two low watt stations in Berkeley and San Francisco. With fellow anarchist techies he built transmitters and gave them out at cost or lower. Frank Bardacke and friends got their transmitter from Dunifer for $350 and promptly started up Radio Watson, broadcasting to migrant workers in the Pajaro Valley, around Watsonville and south of Santa Cruz. By the mid-1990s Dunifer's trans-

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mitters were operating all over the US, and at least as far south as Chiapas, where the Zapatistas happily used them.

Amid the orgy of post 1996 mergers, the legal battles of Dunifer and an increasingly nasty campaign against such micro-broadcasters instigated by the National Association of Broadcasters in 1997, William Kennard, newly installed chairman of the FCC, announced that his agency was contemplating the legalization of low-power FM

As CounterPunch reported last March in a front-page story, "Battle for the Sound Waves", Franck and the Guild's CDC put together a national coalition to push FCC into reformulating its rules, with insistence on non-commercial service, one station per license holder, local license holding and no absentees, local programming, licensees to be unincorporated, not for profit associations.

On January 20 they got a lot of what they wanted. The five FCC commissioners voted 3-2 to authorize two new classes on low power, non commercial FM, one class with power from 50 to 100 watts and the other, one to 10 watts. (Partly dissenting from this excellent decision was Commissioner Powell, the son of Colin Powell whose desire to build a progressive Republican image appears to have died in a fatal collision with the need to please the big media combines. The new stations can operate throughout the entire FM spectrum, will be available to non-profits, local educational associations. To quote the FCC news release, "the Commission said that to further its goals of diversity and creating opportunities for new voices, no existing broadcaster or other media entity can have an ownership interest or enter into any program or operating agreement." Ownership for the time being has to be local though after three years "eligible entities": will be able to own up to ten low power stations nationwide. There'll be no significant license fee. Back in 1989 the FCC demanded Readus pay a $2,500 application fee plus costly engineering studies.

There are two significant failings to the FCC decision. A big point of contention has always been the so-called "separation requirements", meaning — under the FCC's new low power rules — that if a station is broadcasting on, say, 91.1, you can't grab 91.3 or 91.5. Indeed, the FCC had originally demanded a third separation requirement (i.e. 91.7 in the hypothesis above) and in its January 20 story the New York Times inaccurately stated this was to be the rule. The Guild's Committee for Democratic Communication had raised money from the McArthur Foundation to commission an engineering station which concluded that no separation requirement was necessary, but Kennard only moved from three to two, which means that there'll be no new low power FM stations operating legally in — to take two big examples — New York or Los Angeles. This is particularly absurd, given that Kennard and his faction amid the commissioners asserted in their statement that their decision should be seen in light of the huge media concentration following telecommunications "reform" in 1996. In other words, they said, We are creating more choice, but in major cities (where most of the audience is) we will forbid choice because of the concentration we previously sanctioned. The separation requirements are entirely arbitrary and should be challenged at once, on the grounds that only proven interference with an existing station would require separation Take the Noe valley in San Francisco. A low watt station could broadcast there and since it's surrounded by hills, not interfere with a station transmitting elsewhere in the city.

The other failure is the FCC's stipulation that it will countenance no applicants for a new license if they ran an unauthorized microstation after February 26, 1999 or took longer than 24 hours to comply with an FCC order to shut down. This penalizes micro-radio pioneers whose demand has always been, full amnesty, not to mention return of all property and equipment seized by the feds. Franck says it's as though, after the bus boycott in the 1960s, everyone could ride in a bus except Rosa Parks. Ingenuity, though, will surely find a way. One can surmise the FCC won't be too vigorous in trying to find out whether applicants have close connections with former pirates.

So what pushed the FCC in the right direction, from the lousy rules of early 1999 to those set forth on January 20? Franck reckons the hard legal work of the past few years paid off. Kennard and his fellow commissioners knew they were vulnerable not only in US courts on free speech grounds, but also internationally. There is a procedure for filing a complaint against the US before the Human Rights Commission of the UN, for violating of human rights and international law under the Right to Communicate. Franck and other Guild lawyers had been prepared to take Kantako's case to Geneva under these provisions, but around the time the LA cops were acquitted on charges of beating up Rodney King, Kantako lost all remaining faith in the legal system and the UN as an avenue.

A blind black man in Illinois and a bearded white anarchist in Berkeley sparked the movement that turned the FCC around.

Kennard was also well aware that in recent years the FCC has amiably presided over pell-mell concentration in ownership and that the Agency could be accurately perceived as the errand boy of the broadcasting industry. So the new low power FM stations are the FCC's single sop to its critics. And finally, neither the FCC nor the broadcasting industry could have been enthusiastic at the prospect of another era of civil disobedience, as micro-broadcasters took to the airwaves and the courts.

So there's the good news. In about two months the FCC will open a five-day filing window for applications. So make sure a group in your local community is prepared. For advice you can view the National Lawyers' Guild Committee CDC site at www.nlgcdc.org or call 415-522-9814. CP

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(**Stealing kids** *continued from page 1*) homes, the children were put in either long-term foster care or up for adoption. This system had its problems, most significantly the existence of unwanted foster children who never found a permanent home, but it also reunified many families.

Then, in 1973, three authors produced a little known but very influential book, Beyond the Best Interests of the Child. It was written by Joseph Goldstein, Anna Freud and Albert J. Solnit, a well-regarded group of lawyers and psychologists whose collective voice was dominant in guiding courts and social workers for years to come. The book was subtle and understated, so the message received was not the one intended. What was said was that children form bonds with parent replacements (foster parents, primarily) that can supplant the bonds they had with their biological families. This bit of mastery of the obvious then was reconstituted as legal respect for the psychological bonds a child forms with foster parents while the biological parent is attempting to reunify. The tense outcome is predictable: parents may successfully complete a reunification program, but if the child has "bonded" with its foster family by the time the parent gets the job done, it is simply too late. The child's biological parent has been replaced by the more important psychological parent, the "authentic" parent. The Goldstein, Freud and Solnit book is repeatedly cited by child welfare advocates to justify their proposed rearrangement of a child's life, and by courts to ratify that.

Across the last generation sea changes in society, including birth control and abortion, have dramatically reduced the number of "unwanted" newborns available for adoption. To get a baby, or a child, one now has to sign up to provide foster care and hope that one of your charges is worthy of your love. In this way, the children of the poor have become hot ticket items, commodities for the childless (or child-wanting) middle-class.

In the last five years, a very active foster care lobby has developed in California which has agitated for the sizable stipends foster parents now receive for the care of the children of the "poor with problems". In the guise of protecting abused and neglected children, they have dramatically shifted the balance of rights from parents to caretakers, and have redefined the "best interests of children" in their interests. If the parents of these children were provided with the same monthly income received by a foster parent, most of their problems would vanish.

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Another great wash of change emerged from the anti-crime and anti-child abuse hysterias of the 70s and 80s. Child abuse was suddenly "discovered" as a significant social problem, and thousands of people went to work to solve it, paid by newly minted government stipends garnered by prosecutors, police, social services agencies, foster care businesses, and victims' rights advocates. The definition of child abuse and neglect was expanded to "rescue" a greater number of children: suddenly, there were "emotional abuse" cases, and children snatched because their parents' home was dirty. There were enormous numbers of children taken because their mothers used crack cocaine when they were pregnant. The foster parents of these so-called "crack babies" were given lavish money for their "special needs" children, money their parents would never have received. For the parent it's welfare, for the foster home it's wages.

As the well of adoptable children dried up, and these dependency children became the only source for people seeking to adopt, the time a biological parent was given to reunify was dramatically shortened. Now, children under age 3 are placed for adoption almost immediately after they are removed from their homes, and every effort is made to find an adoptive placement for an older child within a year. Women who give birth in prison, regardless of their potential to be good mothers, lose their infants immediately and forever unless they have a close family member who can take the child or are lucky enough to get into one of the few programs for prisoners with newborns.

One of the most typical of these parents is the drug-using black single mother. She may have two children who are thriving, but if she shows up in a hospital ready to give birth and has cocaine in her system, she'll have all three snatched in a hot second. Another battle won in the War on Drugs, another family torn to pieces.

Immigrant parents are particularly vulnerable. They are unable to "read" the culture, particularly the legal system, and they do not know whom to trust. A composite illustration: A Southeast Asian single mother, born of a liaison between her mother and an American soldier, has her children snatched by social workers because she lives in a multi-family dwelling and there's a raid on the house for drug sales by other adults. For the Southeast Asian mother, the loss of her children is devastating, and she is unable to follow the script written for their return. Without her children, she loses public assistance, and then she is unable to find work. The children, bright and adorable, are quickly swept away, into homes where their promising lives can find fulfillment. Their mother disappears into vagrancy and homelessness.

Rarely are the parenting skills of middle-class families subject to the same rigors of examination and judgment. The children of the middle class are removed permanently from their parents only in cases where we would all agree to its ne-

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cessity. That is, when one kid is dead and the other has bruises.

Federal legislation shortening reunification periods was, in part, designed to prevent "foster care drift" — where children were left in foster care for years -- and gave courts the opportunity to cut off financial aid to social services agencies which did not provide adequate services to families. Yet, in my experience, this is rarely if ever done, and poor parents continue to receive little to help them reunify with their children. In fact, social services is actually a form of ongoing surveillance, where the parent has to report to the social worker, test randomly for drug use, show attendance at counseling sessions, take anti-depressants, attend AA or NA, visit regularly, or it's all over.

Little notice was taken when, in 1979, Goldstein, Freud and Solnit, published a second book, Before the Best Interests of the Child, where they attempted to rein in the misguided excesses caused by their first book. Here, the authors write: "...to acknowledge that some parents, whether biological, adoptive, or longtime foster, may threaten the well-being of their children is not to suggest that state legislatures, courts, or administrative agencies can always offer such children something better, and compensate them for what they have missed in their own homes. By its intrusion the state may make a bad situation worse; indeed, it may turn a tolerable or even a good situation into a bad one." This was not what the child abuse crusaders wanted to hear, and it was not heard. Studies of dependent children show they prefer to stay with their biological families. Removing them from those parents causes long term and possibly irreversible psychological damage. Where courts provide "family maintenance" services for families, leaving the children in their homes and providing services to the parents in the form of home health, parenting instruction, and minimal financial assistance, fewer children end up in foster care and the state saves money overall. Yet family maintenance is an under-utilized tool, resisted by social workers and courts who would rather see these children end up in homes that strangely resemble their own.

And what happens to those parents? They lose their children, and they lose their hope.

Who are these parents? Some are truly abusive, or unable to parent, but the vast majority are simply poor people with problems. And what happens to those parents? They lose their children, and they lose their hope. They fall away from our world into lives of profound depression, leading to even more severe drug or alcohol addiction, and permanent homelessness. If they suffered from mental illness, they become more ill, guilt-ridden with their failures. Many end up in prison for minor crimes, spiraling downward in the social order.

And what happens to all of those adopted children, so much better off now that they are in their new homes, living middle-class lives? Of these "lucky ones" who are adopted, a significant number break away from their adoptive families or are rejected by those families when they reach adolescence and the wounds of their experience begin to manifest in rebelliousness, drug use and minor criminality. The "unlucky ones" stay in various foster homes until they are placed in group homes, then juvenile facilities. Along the way, as several recent exposes have disclosed in shocking detail, they are often abused. At the age of 18, they are unceremoniously dumped on the street to fend as best they can. In all, many dependent children, parented by the state, end up as street urchins, living in nomadic tribes of children like them, lost to us all, unreachable and unsalvageable.

No, this six-year-old boy is not unique, he is representative. He is all children in America whose life with his biological parent is deemed inferior to the life we could arrange for him, a better life, with better toys, a better school, and a puppy. Good for us. Isn't America terrific? We'll show Castro how we take care of children in America. CP

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